IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE THOTTATHIL B.RADHAKRISHNAN

WEDNESDAY, THE 20TH JUNE 2007 / 30TH JYAISHTA 1929

RP.No. 529 of 2007(U)

AGAINST THE JUDGEMENT/ORDER IN WPC.32310/2006 Dated 13/02/2007

.....

REVIEW PETITIONER/5TH RESPONDENT

K.R.USHASREE,
PROPRIETRIX, M/S. SAI EXPORT ENTERPRISES,
MANGADU, KOLLAM.

BY ADV. SRI.S.SANTHOSH KUMAR

RESPONDENTS: PETITIONERS AND RESPONDENTS 1 TO 4

---

1. CHELLAMMA AMMA,
DHAMODARAN NAIR (LATE), KAVUNATTU VEEDU,
MEENATHU CHERRY, KAVANAD, KOLLAM.

2. LAKSHMI, W/O. SIVARAMAN NAIR (LATE),
PULIMOOTTIL VEEDU, KANNIMEL CHERRY,
KAVANAD P.O., KOLLAM.

3. SARASWATHY AMMA, W/O. KUTTAN PILLAI,
OLAPPOORU, MARUTHADI, KOLLAM.

4. LAKSHMI KUTTY AMMA, W/O. CHELLAPPAN NAIR
(LATE), THAIKKOTTATHIL, VALLIKKEZHU,
KAVANAD P.O., KOLLAM.

5. THE DISTRICT LABOUR OFFICER, KOLLAM.

6. THE DISTRICT COLLECTOR, KOLLAM.

7. THE TAHSILDAR (R.R.), KOLLAM.

8. VILLAGE OFFICER, MANGOD, KOLLAM.

BY ADV. SRI.C.UNNIKRISHNAN(KOLLAM)
GOVERNMENT PLEADER
SRI.S.HARIKRISHNAN

THIS REVIEW PETITION HAVING COME UP FOR ADMISSION ON 20/06/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

THOTTATHIL B. RADHAKRISHNAN, J.

~ ~ ~ ~ ~ ~ ~ ~ ~ ~ ~ ~ ~ ~

R.P.No. 529/2007 in W.P.(C) No.32310/2006 (U)

~ ~ ~ ~ ~ ~ ~ ~ ~ ~ ~ ~ ~ ~ ~

Dated this the 20th day of June, 2007

O R D E R

Heard counsel for the petitioner and respondents.

2. By the judgment sought to be reviewed, it was directed that recovery of the amounts due under Ext.P3 application shall be expedited and enforced within a period of four months from the date of that judgment. The review petitioner, who is the employer liable to make such payment, has filed this review petition contending that W.P.(C) No.10655/2006 filed by her challenging the orders leading to the aforesaid recovery is pending. However, as on today, it is the conceded position that W.P.(C) No.10655/2006 was withdrawn and the petitioner, thereafter, filed W.P.(C) No.17988/2007, which is stated to have been dismissed, with liberty to the writ petitioner therein to move statutory remedies including by way of appeal.

3. The aforesaid facts would show that, even as on today, there are no interdictory orders by the competent authority

against the recovery that has been ordered to be made. I find no reason to review the judgment of this Court, dated 13/02/2007, in W.P.(C) No.32310/2006. However, it is clarified that this judgment would not stand in the way of the employer seeking appropriate remedies and also seeking interlocutory reliefs, and if any such interlocutory reliefs are granted, the parties will be governed by that.

4. The reference to the review petitioner as an 'employer' is only for the appropriate appreciation of the facts and not to describe her as an 'employer', if she has a contention that she had not been the employer at all.

5. It is further directed that if no such orders are available, the directions contained in the judgment, dated 13/02/2007, shall be enforced within the time limit fixed therein.

Review petition is disposed of accordingly.

THOTTATHIL B.RADHAKRISHNAN
Judge

ms